

HOUSE BILL 1567

By Butler

AN ACT relative to the jurisdiction of courts in Overton County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Juvenile Court for Overton County Court shall have concurrent jurisdiction, power and authority with the Chancery and Circuit Courts to hear and determine all cases of adoption, and all other proceedings and all other relief incident thereto together with the full power and authority conferred upon the Circuit and Chancery Courts to enforce all its orders, decrees and judgments. The Overton County Judge of the Juvenile Court may sit by interchange in exercising concurrent jurisdiction with the Circuit and Chancery Courts in the county conferred by Tennessee Code Annotated, Section 36-1-101, et seq. regarding adoptions.

SECTION 2. Appeals from any judgment as to adoptions rendered by the Juvenile Court for Overton County Court arising under this section shall be to the Court of Appeals or to the Supreme Court of this state in the same manner as provided in such cases from the Circuit and Chancery Courts.

All adoption cases brought in the Juvenile Court for Overton County Court under this section shall be according to the form for pleadings and practice in the Chancery and Circuit Courts of this state and said cases shall be tried as like cases are tried in the Chancery and Circuit Courts of this state. The clerk of the Juvenile Court for Overton County Court shall keep a docket of adoption cases filed in the Juvenile Court for Overton County Court, and the procedure in each case, and shall enter orders and decrees according to the practice and rules of the Chancery and Circuit Courts.

In exercising concurrent jurisdiction with the Circuit and Chancery Courts in the county conferred by Tennessee Code Annotated, Section 36-1-101, et seq. regarding adoptions, the Juvenile Court of Overton County Court shall be a court of record, the

records to be kept and preserved as required by law for Circuit and Chancery Courts.

The Judge of the Juvenile Court for Overton County Court shall make and cause to be entered on record all such orders and decrees regarding adoption matters as may be passed by the Judge, according to the practice and rules now obtaining in the Chancery and Circuit Courts in order to effect and complete the jurisdiction herein conferred.

SECTION 3. The Juvenile Court for Overton County Court shall have the power and authority to try cases regarding adoptions, the same as the Circuit and Chancery Courts now have, in all such cases, and issue subpoenas for witnesses, and to do and perform any and all acts authorized by law to be done in such cases in the Chancery and Circuit Courts, and to compel the attendance of witnesses, and to enforce judgments, orders, and decrees, and do all acts necessary to complete the jurisdiction herein conferred.

SECTION 4. The Juvenile Court for Overton County Court shall have authority to hear and determine all undisposed adoption cases over which jurisdiction is conferred by this act and which are pending in Overton County at the time this act takes effect as if such cases had originated in the Juvenile Court for Overton County Court.

SECTION 5. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act, which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Overton County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.